

DANA A. SUNTAG (State Bar #125127)
JOSHUA J. STEVENS (State Bar #238105)
HERUM\CRABTREE\SUNTAG
A California Professional Corporation
5757 Pacific Avenue, Suite 222
Stockton, California 95207
Telephone: (209) 472-7700
dsuntag@herumcrabtree.com
jstevens@herumcrabtree.com

Attorneys for All Defendants

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAREN SUTHERLAND, as mother of
decendent; ERICA BELATTI, Guardian Ad
Litem for S.S., son of decendent, and as
successor in interest to the deceased; and D.S.,
daughter of decendent, and as successor in
interest to the deceased,

Plaintiffs,

vs.

CITY OF STOCKTON; OFFICER RONALD
ZALUNARDO, in his individual and official
capacity; OFFICER JOHN AFANASIEV, in
his individual and official capacity; CHIEF
ERIC JONES, in his individual, and official
capacity.

Defendants.

Case No.: 2:21-cv-01855-WBS-AC

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
SECOND AMENDED COMPLAINT**

[Local Rule 144(a)]

[No hearing required]

1 This Stipulation is respectfully submitted by all named parties: Plaintiffs Karen
2 Sutherland, Erica Belatti (as Guardian Ad Litem on behalf of minor Plaintiffs S.S. and D.S.), and
3 S.S. and D.S. as successors in interest to the decedent, on the one hand; and Defendants City of
4 Stockton (the “City”), Chief of Police Eric Jones, Officer Ronald Zalunardo, and Officer John
5 Afanasiev, on the other hand; all through their undersigned counsel of record.

6 RECITALS

7 A. On October 4, 2021, Plaintiffs filed this lawsuit.

8 B. On March 8, 2022, Plaintiffs filed their First Amended Complaint (“FAC”),
9 following a meet and confer by the parties regarding Defendants’ intended motion to dismiss
10 portions of the Complaint.

11 C. On April 5, 2022, the parties met and conferred again, regarding remaining issues
12 with the FAC, in a further effort to avoid Defendants filing a motion to dismiss.

13 D. As a result of that meet and confer, the parties stipulated that Plaintiffs would file
14 a Second Amended Complaint (“SAC”), in a further effort to avoid Defendants filing a motion to
15 dismiss. On April 12, 2022, pursuant to the parties’ stipulation, this Court ordered Plaintiffs to
16 file their SAC by April 15, 2022, and gave Defendants 28 days from the date the SAC was filed
17 to move, plead, or otherwise respond to the SAC. (ECF No. 20.) Plaintiffs filed their SAC on
18 April 15, 2022. Defendants’ response to the SAC is currently due on or before May 13, 2022.

19 E. Counsel for Defendants represent they need additional time to review the SAC,
20 determine the appropriate response(s), and prepare that response(s). Counsel for Defendants
21 requested Plaintiffs’ counsel grant them a two week extension of time to move, plead, or
22 otherwise respond to the SAC to May 27, 2022, and Plaintiffs’ counsel is agreeable to that.

23 F. This is the first stipulation for an extension of time to respond to the SAC.
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STIPULATION

IT IS STIPULATED AND AGREED, by the parties, through their counsel of record, that Defendants have an extension of time, through and including May 27, 2022, to move, plead, or otherwise respond to the SAC.

Dated: May 11, 2022

HERUM CRABTREE SUNTAG
A California Professional Corporation

By: /s/ Dana A. Suntag
DANA A. SUNTAG
Attorneys for all Defendants

Dated: May 12, 2022

V. JAMES DESIMONE LAW


By: /s/ V. James DeSimone
V. JAMES DESIMONE
Attorneys for all Plaintiffs

ORDER

IT IS SO ORDERED.

Defendants' time to move, plead, or otherwise respond to the Second Amended Complaint is extended, through and including May 27, 2022.

Dated: May 16, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE